

**IN THE CLAIMS:**

The text of all pending claims, (including withdrawn claims) is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with underlining and deleted text with ~~strikethrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered).

Please AMEND claim 5 and CANCEL claims 10-13 in accordance with the following:

1. (Previously Presented) A method of recording data on an optical disc in an Incremental Recording mode in which data is partially recordable, the method comprising:
  - determining whether the optical disc is formatted and recording data on the optical disc upon determining that the optical disc is not formatted;
  - checking a state of the optical disc in a recording management area in which disc information is recorded;
  - erasing, after the checking and after recording the data, data ranging from a next writable address to a predetermined block upon determining that the optical disc is a Minimal Blank disc in which data is erased from the recording management area to a lead-in area; and
  - recording a remainder of the data other than the recorded data, after the erasing.
2. (Original) The method of claim 1, wherein the determining further comprises outputting a recording error message upon determining that the optical disc is formatted.
3. (Original) The method of claim 1, wherein the erasing comprises recording, after the checking of the state, data from a next address upon determining that the optical disc is a Minimal Blank disc in which data is erased from the recording management area to a lead-out area.
4. (Previously Presented) A computer readable medium encoded with processing instructions for implementing a method of recording data on an optical disc in an Incremental Recording mode in which data can be partially recorded, the method comprising:
  - determining whether or not the optical disc is formatted and recording data on the optical disc upon determining that the optical disc is not formatted;
  - checking a state of the optical disc in a recording management area in which disc information is recorded;

erasing, after the checking and after recording the data, data ranging from a next writable address to a predetermined block upon determining that the optical disc is a Minimal Blank disc in which data is erased from the recording management area to a lead-in area; and recording a remainder of the data other than the recorded data, after the erasing.

5. (Currently Amended) A method of recording data on an optical disc in an Incremental Recording mode, the method comprising:
  - determining whether the optical disc is formatted;
  - recording data to the optical disc at a desired position upon determining that the optical disc is not formatted;
  - checking whether the optical disc is Fully Blanked or Minimally Blanked after the partially recording;
  - erasing, after the checking, data from a portion of the optical disc that may lead to a recording or read out error upon determining that the optical disc is Minimally Blanked; and
  - recording remaining data other than the recorded data at the desired address on the optical disc after the erasing.

6. (Original) The method of claim 5, wherein the checking comprises checking a recording management area to determine whether the disc is Fully Blanked or Minimally Blanked.

7. (Original) The method of claim 5, wherein data ranging from a next writable address to a predetermined block is erased in said erasing.

8. (Previously Presented) The method of claim 5, further comprising outputting an error message upon determining that the optical disc is formatted.

9. (Previously Presented) The method of claim 5, further comprising recording, after the checking, data from a next address upon determining that the optical disc is Minimally Blanked.

10-13. (CANCELLED)